

1:09cv423

Defendants.

ORDER

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the Court. As Rule 45 makes clear, the party served with a subpoena “may serve on the party or attorney designated in the subpoena a written objection . . .” to the subpoena. Fed. R. Civ. P. 45(c)(2)(B). This objection must be served on the party or attorney by the earlier of the time specified in the subpoena for compliance or fourteen days after the subpoena is served. Id. It is unclear whether movants have complied with the requirements of Rule 45(c)(2)(B). Finally, movants failed to file a certification that they have conferred or attempted to confer with Plaintiff in order to attempt to resolve this dispute prior to filing their motion, as required by both the Local Rules and the Federal Rules of Civil Procedure. LCvR 7.1(B); Fed. R. Civil P. 26(c)(1). As a result of movants failure to comply with the requirements of the Local Rules and the Federal Rules of Civil Procedure, the Court **STRIKES** the Motion to Quash [# 121] without prejudice.

Signed: June 14, 2011

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Dennis L. Howell
United States Magistrate Judge

